

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 7.
HUMAN HEALTH CARE AND SAFETY.

CHAPTER 3.
REPORTS OF CANCER AND MALIGNANT
NEOPLASTIC DISEASES.

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MALIGNANT NEOPLASTIC DISEASES.

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CHAPTER 3. REPORTS OF CANCER AND MALIGNANT NEOPLASTIC DISEASES.

§ 7-301. MAYOR TO ISSUE RULES.

The Mayor may, upon the advice of the Commissioner of Public Health and pursuant to subchapter I of Chapter 5 of Title 2, issue rules to prevent and monitor the occurrence of cancer in the District of Columbia.

(July 27, 1951, 65 Stat. 124, ch. 241, § 1; Feb. 21, 1986, D.C. Law 6-83, § 2(a), 32 DCR 7276.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1201.

1973 Ed., § 6-1301.

Emergency Act Amendments

For temporary amendment of section, see § 506(a) of the Omnibus Budget Support Congressional Review Emergency Act of 1995 (D.C. Act 11-124, July 27, 1995, 42 DCR 4160).

For temporary amendment of section, see § 506(b) of the Omnibus Budget Support Congressional Review Emergency Act of 1995 (D.C. Act 11-124, July 27, 1995, 42 DCR 4160).

For temporary amendment of section, see § 506(d) of the Omnibus Budget Support Congressional Review Emergency Act of 1995 (D.C. Act 11-124, July 27, 1995, 42 DCR 4160).

For temporary amendment of section, see § 506(e) of the Omnibus Budget Support Congressional Review Emergency Act of 1995 (D.C. Act 11-124, July 27, 1995, 42 DCR 4160).

For temporary amendment of section, see § 506(f) of the Omnibus Budget Support Congressional Review Emergency Act of 1995 (D.C. Act 11-124, July 27, 1995, 42 DCR 4160).

For temporary amendment of section, see § 402(a) of the Omnibus Budget Support Emergency Act of 1995 (D.C. Act 11-44, April 28, 1995, 42 DCR 2217) and § 506(g) of the Omnibus Budget Support Congressional Review Emergency Act of 1995 (D.C. Act 11-124, July 27, 1995, 42 DCR 4160).

For temporary amendment of section, see § 506(h) of the Omnibus Budget Support Congressional Review Emergency Act of 1995 (D.C. Act 11-124, July 27, 1995, 42 DCR 4160).

Legislative History of Laws

Law 6-83, the "Preventive Health Services Amendments Act of 1985," was introduced in Council and assigned Bill No. 6-99, which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on November 5, 1985, and November 19, 1985, respectively. Signed by the Mayor on November 27, 1985, it was assigned Act No. 6-108 and transmitted to both Houses of Congress for its review.

Delegation of Authority

Delegation of authority pursuant to Law 6-83, see Mayor's Order 86-165, September 19, 1986.

Delegation of authority pursuant to the "Preventive Health Services Amendment Act of 1985", see Mayor's Order 98-141, August 20, 1998 (45 DCR 6588).

§ 7-302. CONFIDENTIALITY.

The Commissioner of Public Health shall use the records incident to a reported case of cancer for statistical and public health purposes only, and identifying information contained in these records shall be disclosed only when essential to safeguard the physical health of others. No person shall otherwise

disclose or redisclose identifying information derived from these records unless:

- (1) The person reported gives his or her prior written permission;
- (2) A court finds, upon clear and convincing evidence and after granting the person reported an opportunity to contest the disclosure, that disclosure is essential to safeguard the physical health of others; or
- (3) The identifying information is exchanged with a cancer registry that is maintained by a state and the Commissioner of Public Health receives a satisfactory assurance from the cancer registry that the confidentiality of the identifying information shall be preserved.

(July 27, 1951, 65 Stat. 124, ch. 241, § 2; Feb. 21, 1986, D.C. Law 6-83, § 2(b), 32 DCR 7276; Sept. 11, 1990, D.C. Law 8-157, § 2, 37 DCR 4165.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1202.

1973 Ed., § 6-1302.

Legislative History of Laws

For legislative history of D.C. Law 6-83, see Historical and Statutory Notes following § 7-301.

Law 8-157, the "Preventive Health Services Amendment Act of 1990," was introduced in Council and assigned Bill No. 8-385, which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on May 29, 1990, and June 12, 1990, respectively. Signed by the Mayor on June 18, 1990, it was assigned Act No. 8-219 and transmitted to both Houses of Congress for its review.

§ 7-303. MEDICAL EXAMINATION OR TREATMENT NOT REQUIRED.

Nothing in this chapter or any rules or regulations issued pursuant to this chapter shall be construed to compel a person with cancer to submit to medical examination or treatment.

(July 27, 1951, 65 Stat. 124, ch. 241, § 3; Feb. 21, 1986, D.C. Law 6-83, § 2(c), 32 DCR 7276.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1203.

1973 Ed., § 6-1303.

Legislative History of Laws

For legislative history of D.C. Law 6-83, see Historical and Statutory Notes following § 7-301.

§ 7-304. PENALTIES; PROSECUTIONS.

(a) Except as provided in subsection (b) of this section, any person who willfully violates this chapter or any rule or regulation issued pursuant to this chapter shall be guilty of a misdemeanor and, upon conviction, subject to a fine not exceeding \$1,000.

(b) Any person who willfully discloses, receives, uses, or permits the use of information in violation of § 7-302 shall be guilty of a misdemeanor and, upon conviction, subject to a fine not exceeding \$5,000, imprisonment for not more than 90 days, or both.

(c) Prosecution shall be in the Superior Court of the District of Columbia by information signed by the Corporation Counsel.

(July 27, 1951, 65 Stat. 124, ch. 241, § 4; July 8, 1963, 77 Stat. 77, Pub. 88-60, § 1; July 29, 1970, 84 Stat. 570, Pub. L. 91-358, title I, § 155(a); Feb. 21, 1986, D.C. Law 6-83, § 2(d), 32 DCR 7276.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-1204.

1973 Ed., § 6-1304.

Legislative History of Laws

For legislative history of D.C. Law 6-83, see Historical and Statutory Notes following § 7-301.